



**REQUEST FOR QUALIFICATION STATEMENTS  
("RFQS")**

**FOR**

**MASTER AGREEMENTS FOR  
GENERAL CONSTRUCTION SERVICES ON A  
WORK ORDER BASIS – JOHN F. KENNEDY  
(JFK) REDEVELOPMENT PROGRAM**

**REVISED AND REISSUED - JULY 10, 2020**

**RFQS #59109**

**RESPONSES DUE NO LATER THAN:**

**2:00 PM ET ON AUGUST 7, 2020**

The Port Authority of New York & New Jersey (“Port Authority” or “Authority”) seeks to award multiple Master Agreements (also referred to as “Contracts”) for General Construction Services on a Work Order basis for the John F. Kennedy Redevelopment Program (the “Project”) (see below). The Authority anticipates awarding Master Agreements to multiple firms, who will compete for Work Orders. Only firms that have an executed Master Agreement will receive requests for bids for future Work Orders. Request for bids on future Work Orders may include, but not be limited to: the specific scope of work to be performed under the Work Order, any specific terms and conditions, notice of the application of any requirements as per any funding, bid bonds, if required, and a bid form. Unless otherwise stated in the request for bid, award of each Work Order shall be made to the responsible firm submitting the lowest responsive bid pursuant to the Authority’s standard bidding process.

**Firms that execute a Master Agreement will have the opportunity to compete for Work Orders, but execution of a Master Agreement does not guarantee that a firm will be awarded a Work Order.**

As part of the Port Authority’s commitment to providing opportunities to local businesses and individuals who historically have been underrepresented. The Port Authority seeks to obtain additional submissions under this RFQS from Small, Minority, Women and Local Business Enterprises.

In addition, the Port Authority expects that each Respondent’s proposed team and workforce reflect the full diversity of the community that the Port Authority serves.

**If your firm has previously submitted on RFQS #59109, please provide a letter to the Contract Specialist indicating whether your firm would like to utilize your previously submitted response or if your firm intends to resubmit a revised or updated RFQS submission. In either case, your submission shall be included in the overall review of submissions for this RFQS. If you would like to have a previously submitted RFQS submission removed from consideration, please submit a letter indicating same.**

## **I. BACKGROUND**

For background with respect to The Port Authority of New York and New Jersey (the “Authority” or “Port Authority”), see [www.panynj.gov](http://www.panynj.gov). Additionally, an electronic version of the Authority’s most recent Annual Report is available at <http://corpinfo.panynj.gov/pages/annual-reports/>.

## **II. PROJECT DESCRIPTION**

In its emerging role as a world class operator of world class airports, the Port Authority is embarking on a complete transformation of John F. Kennedy International Airport – the JFK Redevelopment Program (“Program”). The overall JFK Redevelopment Program goals are to unify the terminal experience for all our

customers, enhance our roadway network, centralize ground transportation, improve the airport taxiways for added efficiencies, increase gate capacity at our terminals and implement technology to security, operations and asset management.

In an effort to expedite the completion of the Program, the Port Authority intends to maintain a roster of pre-qualified firms under contract to perform general construction services for work that is required but is not explicitly covered under any existing contract.

To that end, the Port Authority intends to execute Master Agreements (also referred to as “Contracts”) with multiple firms that prequalify under this RFQS. Work Orders issued under these Master Agreements may include, but may not necessarily be limited to, the following work types:

- General site work
- General civil work
- Demolition
- Abatement
- Surveys
- Grading
- Paving
- Drainage
- Signing, striping and lighting
- Hardstand and deicing improvements
- Foundations
- Major and minor utility work
- Thermal Distribution System
- Electrical substations
- Parking improvements
- Traffic systems
- Intelligent Transportation Systems
- Structural steel and concrete
- Taxiway, taxi lane and aprons
- Fuel system
- Airfield lighting
- Airfield signage and striping
- Fencing, security and PIDS
- Building rehabilitation
- Architectural and building finishes
- Plumbing
- HVAC
- Electrical and electronic
- Fireproofing
- Hoists, elevators, escalators
- Fire protection
- Masonry

## **A. Estimated Value Range for Work Orders**

Firms may submit qualifications for one or more of the ranges below, but in every case must demonstrate compliance with requirements below. Firms shall indicate in their submissions which range(s) it is proposing to be qualified for.

**Range A is set aside for SBE firms.** Ranges B and C are open to all firms.

1. Range A – Up to approximately \$2,500,000 (SBE set-aside) \*
2. Range B – approximately \$2,500,000 to \$25,000,000
3. Range C – Greater than \$25,000,000

\*Only firms certified as Small Business Enterprise (“SBE”) by the Port Authority of New York and New Jersey can qualify for Range A.

**Local business enterprises that are within Tier 1 zip codes as identified in Section V. 4 below are encouraged to submit for Range A if they are eligible to become SBE certified.**

The Authority estimates that the total amount of Work to be awarded under all Work Orders is expected to be up to approximately \$200,000,000.

The Authority expects to issue multiple Master Agreements per range to qualified firms in each range based on the Evaluation Criteria set forth in Section III.B below.

## **B. Contract Schedule**

The anticipated duration for each Master Agreement is five (5) years, with two (2), one (1) year extension options.

## **C. Security**

The Authority operates facilities and systems at which terrorism or other criminal acts may have a significant impact on life safety and key infrastructures. The Authority reserves the right to impose multiple layers of security requirements on the performance of the Work issued under the Master Agreements, including on the Contractor, subcontractors and materialmen, depending upon the level of security required, as determined by the Authority.

All stages may require Contractor-provided security that meets airside operations criteria. All vehicles and equipment will be escorted to the airside work areas. All Contractor’s employees must be accompanied by a guard(s). The Contractor may be required to delineate majority of work areas with low-mass barriers and provide spaced security personnel 24 hours a day.

#### **E. Schedule & Reporting**

In order to ensure compliance with aggressive construction schedule(s), upon award of each request for bids contractors may be required to submit a detailed milestone schedule with daily schedules for each section of work.

During construction, the Contractor shall submit timely schedule updates and weekly look-ahead construction updates and demonstrate concurrence with the baseline schedule and milestones.

#### **D. Inquiries/Point of Contact**

Please direct all inquiries regarding this Master Agreement RFQS to the individual(s) named below, only. This individual is your sole point of contact throughout the entire Master Agreement RFQS process until award. Neither this individual nor any other employee of the Authority is authorized to interpret the Master Agreement RFQS or give additional information as to its requirements. Such interpretation or additional information will be given only by written addendum to this Master Agreement RFQS.

Name: Megan Connors  
Principal Contract Specialist  
Procurement Department  
Port Authority of NY & NJ  
4 World Trade Center  
150 Greenwich Street, 21st Floor  
New York, NY 10007

Email: [meconnors@panynj.gov](mailto:meconnors@panynj.gov)

### **III. SELECTION PROCESS**

#### **A. Qualification Requirements**

To be considered for the award of a Master Agreement in any range, the proposing firm must provide documentary evidence, to the satisfaction of the Authority, that the firm meets the following minimum requirements for each range that the firm is requesting to be qualified. Company brochures shall not be submitted for the purpose of demonstrating experience and technical expertise. Submittals must be tailored to the specific requirements of this Master Agreement RFQS. If a firm cannot demonstrate that it meets all of the below mentioned qualifications, then that firm may form a joint venture with others and request that the joint venture be considered as a proposing firm, as set forth in Section III (C) of this section below.

#### **Range A – Qualification Requirements**

##### **1. Minimum Experience of the Firm:**

- a) As a prime or general contractor, with at least two (2) years of construction experience on one (1) or more projects, with multiple

disciplines or subcontractor management that had a total construction cost of at least \$500,000 concurrently;

The firm may also qualify if, during the time period stated above, it has (or persons or entities owning and controlling it have) owned and controlled another firm that has satisfactorily and successfully performed and completed services of similar scope to those anticipated to be required in Work Orders issued under these Master Agreements.

**2. Minimum Qualifications of Key Staff (Project Manager, Superintendent or Site Safety Manager(s))**

The firm's Project Manager, Superintendent, Site Safety Manager(s) must each have a minimum of two (2) years construction experience on contracts of similar type, each with a total construction costs of at \$500,000.

**Range B - Qualification Requirements**

**1. Minimum Experience of the Firm:**

- a) As a prime or general contractor, with at least five (5) years of construction experience on projects of similar type, each with a total construction cost of at least \$10 million; and
- b) As a prime or general contractor, during the last five (5) years, it has successfully completed or substantially completed at least one (1) construction projects, of a similar type, each with a total construction cost of at least \$10 million, with multiple disciplines and subcontractor management.

The firm may also qualify if, during the time period stated above, it has (or persons or entities owning and controlling it have) owned and controlled another firm that has satisfactorily and successfully performed and completed services of similar scope to those anticipated to be required in Work Orders issued under these Master Agreements.

**2. Minimum Qualifications of Key Staff (Project Manager, Superintendent, and Site Safety Manager(s))**

The firm's Project Manager, Superintendent, Site Safety Manager(s) must each have a minimum of ten (10) years construction experience on contracts of similar types, each with a total construction cost of at least \$10 million.

## **Range C - Qualification Requirements**

### **1. Minimum Experience of the Firm:**

- a) As a prime or general contractor, with at least five (5) years of construction experience on projects of similar type, each with a total construction cost of at least \$25 million; and
- b) As a prime or general contractor, during the last five (5) years, it has successfully completed or substantially completed at least two (2) construction projects, each with a total construction cost of at least \$25 million. These projects should be of a similar type, with multiple disciplines and subcontractor management.

The firm may also qualify if, during the time period stated above, it has (or persons or entities owning and controlling it have) owned and controlled another firm that has satisfactorily and successfully performed and completed services of similar scope to those anticipated to be required in Work Orders issued under these Master Agreements.

### **2. Minimum Qualifications of Key Staff (Project Manager, Superintendent, and Site Safety Manager(s))**

The firm's Project Manager, Superintendent, Site Safety Manager(s) must each have a minimum of ten (10) years construction experience on contracts of similar types with a total construction cost of at least \$25 million.

## **B. Evaluation Criteria**

Firms (including joint ventures) that are found to satisfy the requirements of Section III (A) (above) will then be evaluated by an Evaluation Committee, which will then determine which firm(s) (or joint venture(s)) may proceed with the award of a Master Agreement. A Selection Committee will be composed of Port Authority personnel.

The Selection Committee will base its evaluation on selection criteria, which are listed below in relative order of importance, and as more fully described in Section IV below:

1. Firm Qualifications and Experience
2. Staff Qualifications and Experience
3. Safety Record
4. Financial Responsibility

Scope specific requirements - Individual Work Orders may include additional requirements specific to the specific scope of work.

### C. Joint Ventures

The Authority will entertain requests for prequalification from a joint venture. If a joint venture is pre-qualified to submit bids, or if two or more entities separately pre-qualified to bid elect to submit a bid as a joint venture, all participants in the joint venture shall be bound jointly and severally and each participant shall execute the bid. If the Respondent cannot demonstrate that it meets all of the required qualifications, then the Respondent may, with others, form a joint venture and request that the joint venture be deemed the Respondent (i.e., members of the joint venture may meet the qualification requirements collectively.) If two or more Respondents elect to submit qualifications as an SBE joint venture under Range A, each entity under the joint venture must be individually SBE certified.

## IV. SUBMISSION INSTRUCTIONS AND CONTENT

### A. **The Port Authority has transitioned to an entirely digital submission process for the receipt of proposals in response to RFQs, as detailed below.**

- B. Your Submission must be emailed to [bidrfpsubmittal@panynj.gov](mailto:bidrfpsubmittal@panynj.gov) in sufficient time so that the Authority receives it **no later than 2:00 p.m. Eastern Time (ET) on August 7, 2020.**

Respondents are advised that their digital proposals must be in a readable format, either Microsoft Word or Adobe PDF.

The subject line of the email should include the RFQS # and title. The body of the email should include contact information of the sender, as well as a description of the contents of the email. This email address is solely for submissions, and as such, it should not be used for any other sort of communication. Any questions or other communication shall be through the designated solicitation manager, buyer or contract specialist and in the manner indicated in this solicitation.

Respondents should note that there is a limit to the total size of attachments per email that can be received by the Port Authority designated email account. That limit is 100MB.

Respondents internal networks may have limits on the size of emails they can send. Therefore, it is incumbent upon the Proposers to determine ahead of time that the file(s) being submitted can both be transmitted by their systems and accepted by the Port Authority's systems. If transmissions exceed these limits, the Port Authority will accept Submissions in multiple emails, provided they are all received by the specified Due Date/time and all emails must include the RFQS# and title. Under this circumstance, Proposers should note in the description of the email that the Submission will be arriving in multiple parts and include in the subject line the total number of components and which component, of the total, the particular transmission represents.



Late submittals may be rejected.

**C. The following items must be submitted in order for your firm to be considered for qualification on this specific project:**

**1. Attachments**

In order to expedite the evaluation of this pre-qualification based on information furnished, the Respondent must complete and submit the attached documents. Responses that fail to adhere to this requirement may be excluded from consideration. The following attachments are incorporated herein and must be submitted:

**A. Contractor's Qualification Statement – submit a complete form for each range you are proposing to be qualified for.**

**B. Attachment I – Agreement on Terms of Discussion**

**C. Business Qualification Questionnaire Package –** Accessible by clicking on the following link: <http://www.panynj.gov/inspector-general/inspector-general-programs.html>

Please follow submittal instructions in the BQQ package on the website.

**These should not be included with your RFQS.**

**2. Letter stating whether the Respondent is requesting qualification for one or more of the ranges specified in Section II (A). above.**

**3. Firm Qualifications and Experience**

For each range you are proposing to be qualified for, Respondent shall submit, with the RFQS response, written verifiable supporting documentation that it has satisfied or exceeded the minimum requirements set forth in the “**Minimum Experience of the Firm**” for the applicable range(s) in Section III (A) above.

**4. Staff Qualifications and Experience**

For each range you are proposing to be qualified for, Respondent shall submit with the RFQS response, resume(s) or supporting documentation demonstrating that Respondent meets or exceeds the minimum requirements set forth in in the “**Minimum Qualifications of Key Staff (Project Manager, Superintendent, and Site Safety Manager(s))**” for the applicable range(s) in Section III (A)above.

**5. Safety Record**

As part of your submission, please provide, at a minimum, your firm’s safety record of for the past three (3) years and the documentation below, if

applicable. In addition, please include the safety record for all your firm's affiliates. Provide the following data regarding your firm's safety record:

- Experience Modification Rate – Provide your firm's Insurance Experience Modification Rate (EMR) for the last three (3) years and supply a letter from your firm's insurance broker or carrier indicating the EMR of your firm for the last three (3) years. If the rate exceeds 1.2, a written explanation shall be provided.

## **6. Financial Responsibility**

### **A. Bond Requirements**

Bid, Performance and Payment bonds may be required for each Work Order issued. Include with your response a letter from your surety (a letter from a broker is unacceptable) confirming your firm's single limit and aggregate bonding capacity. The surety company name must appear on the current list of the Treasury Department of the United States as acceptable as a surety upon federal contracts.

Bid bonds may be required for individual Work Orders in ranges B and C. Individual Work Order requests will state whether Bid Bonds are required.

In all Ranges, Performance and Payment bonds or other acceptable forms of security may be required, based on the financial capacity of the selected firm(s).

### **B. Financial Information**

1. Fill in below the name and address of your firm's primary banking representative handling your firm's account.

Banking Institution: \_\_\_\_\_

Address: \_\_\_\_\_

Bank Representative: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

2. Fill in below your firm's Federal Employer Identification Number (i.e., the number assigned to firms by the federal government for tax purposes); your firm's Dun and Bradstreet number, if any; the name of any other credit service to which your firm has furnished

information and the number, if any, assigned by such service to your firm's account.

Federal Employer  
Identification No: \_\_\_\_\_

Dun & Bradstreet No.: \_\_\_\_\_

Other Credit Service: \_\_\_\_\_

Account No.: \_\_\_\_\_

## **B. Financial Statements**

Financial capacity may be requested and reviewed prior to any firm receiving an award of any Work Order(s). Firms may be asked to provide the following with future Work Order bids:

1. Certified financial statements, including applicable notes, reflecting your firm's assets, liabilities, net worth, revenues, expenses, profit or loss and cash flow for the most recent calendar year or your most recent fiscal year.
2. Where such certified financial statements are not available, then either reviewed or compiled statements from an independent accountant setting forth the information described in the first bullet above.
3. Where neither certified financial statements nor financial statements from an independent accountant are available, then financial statements containing the information described in (i) above, prepared directly you. However, such financial statements must be accompanied by a signed copy of your firm's most recent federal income tax return and a statement in writing, signed by a duly authorized representative of your firm, that such statements accurately reflect your firm's current financial condition.
4. Where statements submitted pursuant to (i) and (ii) above show your firm's position as of a date more than forty-five (45) days prior to the date on which bids are due, also submit a statement in writing signed by your firm's duly authorized representative, that your firm's present financial condition is at least as good as that shown on the statements submitted.
5. A statement of work which your firm has on hand, including any work on which a bid has been submitted, containing a description

of the work, the dollar value, the location by city and state, the current percentage of completion and the expected date for completion.

## **V. REQUIREMENTS**

Each Work Order MWBE plan must be approved by the Office of Diversity and Inclusion (D&I) prior to award of each Work Order. MWBE plans shall be developed in consultation with D&I Compliance and shall include concurrence on list of firms to be considered for MWBE subcontracting opportunities. MWBE plans shall include a diverse pool of firms, i.e., diversity within diversity--spread across all underrepresented groups. Failure to meet approved subcontracting goals may result in liquidated damages, as set forth in each Work Order. Firms selected for performance of work shall make a good faith effort to select local firms. Firms shall give, wherever possible and practicable, priority to local workers/laborers.

### **1. REQUIRED LICENSES/CERTIFICATIONS**

The Contractor and/or proposed sub-contractors must have all required certifications and/or licenses to perform the work in accordance with applicable codes, rules and regulations.

### **2. BACKGROUND QUALIFICATION QUESTIONNAIRE PACKAGE**

This RFQS requires Respondents to complete a BQQ and submit it directly to the Office of the Inspector General. In addition, Respondents will also be required to ensure that their respective subcontractors, subconsultants and vendors, of all tiers, also complete BQPs.

The BQQ document may be downloaded at: <http://www.panynj.gov/inspector-general/inspector-general-programs.html>

### **3. M/WBE SUBCONTRACTING PROVISIONS**

The Port Authority has a long-standing practice of making its business opportunities available to Minority Business Enterprises (MBEs) and Women-Owned Businesses (WBEs) and has taken affirmative steps to encourage such firms to seek business opportunities with the Port Authority. Firms awarded Work Orders will be required to use good faith efforts to achieve a goal of 20 percent (20%) participation by Authority certified MBEs and 10 percent (10%) participation by Authority certified WBEs to provide for meaningful participation by the Authority certified M/WBEs as defined in this document, in the purchasing and subcontracting opportunities associated with this RFQS and any resultant Work Order, including purchase of equipment, supplies and labor services.

To ensure meaningful participation of MBEs and WBEs on this Contract, the Authority has set good faith contract goals of 20 percent for firms owned and controlled by minorities, and 10 percent for firms owned and controlled by women, of the Estimated Total Contract Price of each Work Order. In the event that this Contract is awarded to an Authority certified MBE or WBE firm, and such firm is performing at least thirty percent (30%) of the scope of work, the ten percent (10%) WBE goal and/or twenty percent (20%) MBE goal requirement, as appropriate, will be met. If the Contract is awarded to an Authority certified MBE and WBE firm, both the ten percent (10%) WBE goal and twenty percent (20%) goal requirement, will be met.

Work order good faith goals shall apply at both the first-tier levels as well as at the sub-first tier levels.

#### **4. LOCAL BUSINESSES**

Each contractor issued a Master Agreement will be required to make a good faith effort to maximize the use of local\* business enterprises on each Work Order.

\*For the purposes of this RFQS, “local” shall mean –

Tier 1 – list of 35 local zip codes in Queens and parts of Nassau (see below)

11405	11416	11421	11432	11691	11697	11557
11411	11417	11422	11433	11692	11559	11003
11412	11418	11423	11434	11693	11598	11580
11413	11419	11428	11435	11694	11096	11581
11414	11420	11429	11436	11695	11516	11582

Tier 2 – Borough of Queens

Tier 3 – The Bronx, Brooklyn, Manhattan, Staten Island

Tier 4 – Port Authority region

#### **5. CONFLICT OF INTEREST**

If the Respondent or any employee, agent or subcontractor of the Respondent may have, or may give the appearance of having, a possible conflict of interest, the Respondent shall include in its proposal a statement indicating the nature of the conflict. The Authority reserves the right to disqualify the Respondent if, in the Authority’s sole discretion, any interest disclosed from any source could create, or give the appearance of, a conflict of interest. The Authority’s determination regarding any question(s) of conflict of interest shall be final.

## **6. PERFORMANCE EVALUATION FOR CONSTRUCTION CONTRACTOR SOURCE SELECTION POLICY**

In accordance with the Authority's "Performance Evaluation for Construction Contractor Source Selection Policy," which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, Respondents should be aware that Port Authority will consider any Respondent's Unsatisfactory or Marginal Performance Evaluation as an important factor in determining whether the Respondent is deemed qualified, or recommended for ultimate contract award.

## **7. VENDOR CODE OF ETHICS**

The Port Authority has adopted a Code of Ethics for Port Authority Vendors which can be found at: <https://www.panynj.gov/business-opportunities/become-vendor.html>

## **8. NOTIFICATION**

Notification as to whether a Respondent has been pre-qualified will be made only by a notice in writing, signed by the Chief Procurement Officer or her designated representative on behalf of the Authority and mailed or delivered to the office designated by the Respondent in its response to this RFQS.

# THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

## CONTRACTOR'S QUALIFICATION STATEMENT FOR

### RFQS #59109 General Construction Services on a Work Order Basis – John F. Kennedy (JFK) Redevelopment Program

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#### A. Contractor's General Business Information

- ☐ Statement submitted by:

**Name of Firm:**

**Name of Principal:**

**Business Address:**

**Telephone No:**

**Fax No:**

**E-mail:**

**Name & Telephone No. of contact person if not individual mentioned above:**

Check how bid will be submitted: ☐ Single Entity ☐ Joint Venture

**If a Joint Venture, each participant in such Joint Venture must submit all the information that is required for a single entity.**

Indicate the type of work generally performed with your own work force.

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- ☐ Indicate which part of the work indicated in Paragraphs II.A and II.B of the attached Request for Qualification Statements ("RFQS") you plan on performing with your own forces and what work you plan on sub-contracting to another firm.

Work to be performed with own forces:

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Work to be performed by sub-contractors:

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**B. Relevant Experience and Past Performance:**

- ☐ On **Schedule A**, below, list construction contracts completed by your firm which document **your firm's meeting of the requirements indicated in the RFQS**. If a joint venture, list each joint venture partner's projects separately. Indicate if the contract was performed by your firm's own forces or by a sub-contractor. Submit each project on one page in the following format.

**SCHEDULE A- CONTRACTS COMPLETED:**

<b>Project Name, Location and Description</b>	<b>Name of Owner(s), Address, Tel No. &amp; Email</b>	<b>Design Engineer*</b>	<b>Date Completed</b>	<b>Contract Amount**</b>	<b>Percentage of Work Completed by Own Forces</b>

**\*Include Name, Address and Phone No. of Reference Contact**

**\*\*Indicate amount of Firm's contract and if work was done as prime contractor**



- ❑ On **Schedule B**, below, list the name and qualifications of the individual who will function as the **Project Manager** as well as those of any other **key construction supervision personnel** to be assigned to the Contract along with the anticipated function and relevant experience of each person in the format below.  
Attach resumes.

**SCHEDULE B - KEY CONSTRUCTION SUPERVISION PERSONNEL:**

<b>Name</b>	<b>Position</b>	<b>Date Started with Organization</b>	<b>Date Started in Construction Field</b>	<b>Prior Positions and Experience in Construction</b>

- ☐ On **Schedule C**, below, list projects **currently under construction** (work on hand) by your firm. If a joint venture, list each joint venture partner's projects separately. Please follow format below, one page per contract.

**SCHEDULE C - CURRENT WORK ON HAND:**

**FIRM NAME:** \_\_\_\_\_

[illegible]

- ☐ On **Schedule D**, below, list Bids submitted by your firm. If a joint venture, list each joint venture partner's projects separately. Please follow format below, one page per contract.

**SCHEDULE D: CURRENT BIDS SUBMITTED:**

**FIRM NAME:** \_\_\_\_\_

<b>Project Name, Location and Description</b>	<b>Name of Owner(s) Address, Tel No. &amp; Email</b>	<b>Design Engineer*</b>	<b>Bid Amount</b>	<b>Low Bidder (Y/N)</b>	<b>Anticipated Award Date/Contract Duration (If Applicable)</b>

**\*Include Name, Address, Phone No. and Email of Reference Contract**

- ☐ On **Schedule E**, below, provide information about past Performance Evaluations on Port Authority or PATH contracts. Submit a copy of this Schedule E completed for each entity that comprises the joint venture. Attach additional pages as necessary.

**SCHEDULE E: CONTRACTOR PAST PERFORMANCE**

**Firm Name:** \_\_\_\_\_

Indicate below whether your firm's performance on a past Port Authority or PATH contract(s) has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS.

- ☐ No.
- ☐ Yes. Further information (including rating(s) and contract(s)):

\_\_\_\_\_  
\_\_\_\_\_.

Indicate below whether an affiliate, subsidiary or parent company of your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including rating(s) and contract(s)):

\_\_\_\_\_  
\_\_\_\_\_.

Indicate below whether an entity in which your firm was a substantial component or over which your firm exerted substantial control has been rated less than satisfactory (e.g., received a Performance Evaluation rating of "Marginal" or "Unsatisfactory") within three years prior to submission of this RFQS on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including entity (ies), rating(s) and contract(s)):

\_\_\_\_\_  
\_\_\_\_\_.

Indicate below whether an entity which has some of the same key senior personnel as your firm has been rated less than satisfactory (e.g., received a Performance Evaluation rating of “Marginal” or “Unsatisfactory”) within three years prior to submission of this RFQS) on a past Port Authority or PATH contract(s).

- ☐ No.
- ☐ Yes. Further information (including entity (ies), rating(s) and contract(s)):

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In accordance with the Authority’s “Performance Evaluation for Construction Contractor Source Selection” policy, which can be found at <https://www.panynj.gov/business-opportunities/become-vendor.html>, the Port Authority will not qualify, or recommend for award, any prospective bidder or bidder that has received one or more Marginal or Unsatisfactory ratings unless, in the sole discretion of the Chief Engineer or his or her designee with information from the evaluation committee, the prospective bidder or bidder has provided substantive information showing that the root cause of the adverse performance has been identified and definitively corrected or the circumstances giving rise to the Performance Evaluations have changed and will not reoccur. The determination of the Chief Engineer or his or her designee will be conclusive.

- ☐ Does your firm have the necessary certification(s) and/or license(s) required under the RFQS?

\_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**                      \_\_\_\_\_ **Not Applicable**

- If Yes - Submit documentation of required certification(s) and/or license(s)  
➤ If No, indicate how you plan on meeting this requirement:

- ☐ Has your firm ever failed to complete any construction contract awarded to it?  
\_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

If yes, describe the circumstances on a separate piece of paper.

- ☐ In the last five years, has your firm ever failed to substantially complete a contract as per the Contract requirements manner? \_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

If yes, describe the circumstances on a separate piece of paper.

- ☐ Identify prior contracts that contained stated goals for M/WBE participation and how such goals were met or exceeded:

<b>Contract</b>	<b>Stated Goals</b>	<b>Actual % Obtained</b>	<b>Comments</b>

**C. Financial Information:**

- ☐ Can your firm provide a Performance and Payment Bond for the full amount required?  
\_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

- ☐ Indicate approximate total bonding capacity: \_\_\_\_\_

- ☐ Indicate name of your proposed surety company and name, address and phone number of agent:

➤ Name: \_\_\_\_\_

➤ Address:

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➤ Telephone No.

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- ☐ **Submit letter from your surety documenting your ability to submit the required Bond.**

**E. Certification**

I hereby certify that the information submitted herewith, including attachments, is true to the best of my knowledge and belief.

\_\_\_\_\_  
(Type or print business name of Firm)

By:

\_\_\_\_\_  
(Signature of Officer of Firm)

\_\_\_\_\_  
(Print name of Officer of Firm)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Type or print title of officer of Firm)

Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Notary Public

.....





## ATTACHMENT I

RFQ #59109 General Construction Services on a Work Order Basis – John F. Kennedy (JFK)  
Redevelopment Program

### **AGREEMENT ON TERMS OF DISCUSSION**

The Port Authority's receipt or discussion of any information (including information contained in any proposal, vendor qualification(s), ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) shall not impose any obligations whatsoever on the Port Authority or entitle us to any compensation therefor (except to the extent specifically provided in such written agreement, if any, as may be entered into between the Port Authority and us). Any such information given to the Port Authority before, with or after this Agreement on Terms of Discussion ("Agreement"), either orally or in writing, is not given in confidence. Such information may be used, or disclosed to others, for any purpose at any time without obligation or compensation and without liability of any kind whatsoever. Any statement which is inconsistent with this Agreement, whether made as part of or in connection with this Agreement, shall be void and of no effect. This Agreement is not intended, however, to grant to the Port Authority rights to any matter, which is the subject of valid existing or potential letters patent.

Any information (including information contained in any proposal, vendor qualification(s), ideas, models, drawings, or other material communicated or exhibited by us or on our behalf) provided in connection with this procurement is subject to the provisions of the Port Authority Public Records Access Policy adopted by the Port Authority's Board of Commissioners, which may be found on the Port Authority website at: <http://corpinfo.panynj.gov/documents/Access-to-Port-Authority-Public-Records/>. The foregoing applies to any information, whether or not given at the invitation of the Authority.

\_\_\_\_\_  
(Company)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

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DO NOT RETYPE.